

# NORTH CAROLINA GENERAL ASSEMBLY

## LEGISLATIVE RESEARCH COMMISSION

STATE LEGISLATIVE BUILDING

RALEIGH, NC 27601



April 17, 2014

TO THE MEMBERS OF THE LEGISLATIVE RESEARCH COMMISSION:

Attached for your consideration is the report to the 2014 Regular Session of the 2013 General Assembly. This report was prepared by the Legislative Research Commission's Committee on Cultural and Natural Resources, pursuant to G.S. 120-30.17(1).

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Senator Andrew Brock  
Co-Chair

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Representative Nelson Dollar  
Co-Chair

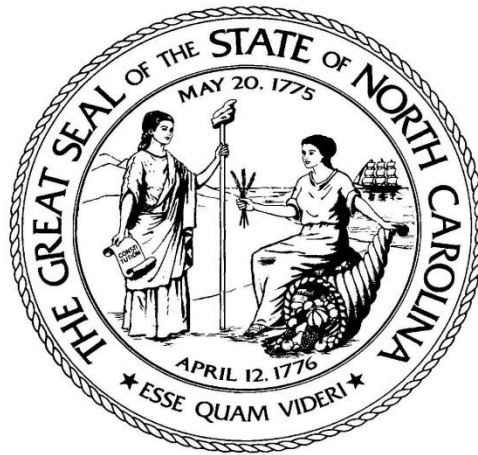
Co-Chairs  
Committee on Cultural and Natural Resources  
Legislative Research Commission

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LEGISLATIVE RESEARCH COMMISSION

COMMITTEE ON CULTURAL AND  
NATURAL RESOURCES

NORTH CAROLINA GENERAL ASSEMBLY



REPORT TO THE  
2014 SESSION  
of the  
2013 GENERAL ASSEMBLY  
OF NORTH CAROLINA

APRIL 17, 2014

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# TRANSMITTAL LETTER

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April 17, 2014

TO THE MEMBERS OF THE 2014 REGULAR SESSION  
OF THE 2013 GENERAL ASSEMBLY

**The Legislative Research Commission herewith submits to you for your consideration its report and recommendations to the 2014 Regular Session of the 2013 General Assembly. The report was prepared by the Legislative Research Commission's Committee on Cultural and Natural Resources, pursuant to G.S. 120-30.17(1).**

Respectfully submitted,

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Senator Thomas M. Apodaca

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Representative Timothy K. Moore

Co-Chairs  
Legislative Research Commission

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# LEGISLATIVE RESEARCH COMMISSION MEMBERSHIP

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**2013 – 2014**

Senator Thomas M. Apodaca  
Co-Chair

Representative Timothy K. Moore  
Co-Chair

Senator Phil Berger, Ex Officio  
Senator Dan Blue  
Senator Harry Brown  
Senator Martin L. Nesbitt, Jr.

Representative Thom Tillis, Ex Officio  
Representative John M. Blust  
Representative Justin P. Burr  
Representative Becky Carney  
Representative Mike D. Hager

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## PREFACE

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The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is the general purpose study group in the Legislative Branch of State Government. The Commission is co-chaired by the President Pro Tempore of the Senate and the Speaker of the House of Representatives and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigation into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

The Legislative Research Commission authorized the study of **Cultural and Natural Resources**, under authority of G.S. 120-30.17(1). The Committee was chaired by Senator Andrew Brock and Representative Nelson Dollar, Co-Chairs of the Committee. The full membership of the Committee is listed under [Committee Membership](#). A committee notebook containing the committee minutes and all information presented to the committee will be filed in the Legislative Library by the end of the **2013-2014** biennium.

Copies of the presentations made and handouts distributed to the Committee are available at the Committee website:  
<http://www.ncleg.net/gascripts/DocumentSites/browseDocSite.asp?nID=249>

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# COMMITTEE PROCEEDINGS

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The Legislative Research Commission's Committee on Cultural and Natural Resources met 3 times after the 2013 Regular Session. The Committee's charge can be found [here](#). The following is a brief summary of the Committee's proceedings. Detailed minutes and information from each committee meeting are available in the Legislative Library.

**January 23, 2014**

**AGENDA**

**1:00 p.m. Thursday**

Room 643 Legislative Office Building  
Raleigh, North Carolina

1. Call to Order  
Senator Andrew Brock, Presiding
2. (Introductory Remarks )  
Senator Andrew Brock  
Representative Nelson Dollar
3. Overview of Committee Charge  
Jennifer McGinnis, Research Division
4. Overview of Inventory  
Jennifer Hoffmann, Fiscal Research Division
5. Overview on NC Cultural and Natural Resource Assets
  - A. Department of Cultural Resources  
Karin Cochran, Chief Deputy Secretary
  - B. Dept. of Environment and Natural Resources  
Brad Ives, Assistant Secretary for Natural Resources
  - C. Wildlife Resources Commission  
Gordon S. Myers, Executive Director
  - D. Dept. of Agriculture and Consumer Services  
Joy Hicks, Policy Development Analyst
6. Program Evaluation Division Report, *Operational Changes for State Attractions Could Yield \$2 Million Annually and Reduce Reliance on the State*,  
Pamela L. Taylor, PhD, Principal Program Evaluator

The first meeting of the Legislative Research Commission's Committee on Cultural and Natural Resources (Committee) was held on Thursday, January 23, 2014 at 1:00 p.m. in Room 643 of the Legislative Office Building. Senator Andrew Brock presided.

Senator Andrew Brock and Representative Nelson Dollar gave opening remarks.

Ms. Jennifer McGinnis, Committee Counsel, was recognized to give an overview of the Committee's charge, which can be viewed [here](#).

Ms. Jennifer Hoffmann, Committee Fiscal Analyst, gave an overview of the inventory of cultural and natural resources assets owned or operated by the State. Committee staff had previously asked the four agencies that presented to the committee today to complete a two page template that captured both programmatic and administrative information on each site managed by that agency. The first page for each site contains programmatic information for that site, such as location, actuation date, program description of the site as well as visitation statistics. The second page for each site contains administrative information including the site's operating budget, staffing patterns, and capital investment over the past five years. The entire document is available on the committee's website in PDF format. In addition to this written document that each of the agencies prepared, the co-chairs had asked each of the agencies to make a presentation to the committee that provides an overview of the agency's assets as well as addresses how those assets are managed.

Ms. Susan Kluttz, Secretary of the Department of Cultural Resources (DCR), Secretary Kluttz thanked the committee for having her department present at the committee. She stated that since being appointed to Secretary by Governor McCrory, she has worked very hard to use Cultural Resources for economic development and education.

Ms. Karin Cochran, Chief Deputy Secretary of the Department of Cultural Resources (DCR), gave a summary and history of the DCR and an overview of cultural and natural resource sites operated by DCR. Ms. Cochran discussed the State Constitution's emphasis on heritage sites, DCR's role in and goals of promoting history, preservation, and education, DCR's budget, the process of acquisition and disposal of assets, funding resources, efficiencies, cultural and natural resource sites' impact on economic development, strategic planning and management of natural resources, opportunities to collaborate with other partners, and future needs. She related that DCR oversees 27 historic sites, 7 history museums, 2 art museums, the State Library, the State Archives, and the North Carolina Symphony.

There was committee discussion on the Department's attempts to maximize efficiency in recent years, collaboration between the Department and Grassroots museums, and about the potential creation of a mobile application that could be used to link sites together in a way that tells a story.

Mr. Brad Ives, Assistant Secretary of Natural Resources of the Department of Environment and Natural Resources (DENR), gave an overview of natural resource assets operated by DENR, discussed Governor McCrory's priorities for natural resource sites, natural resources management, partnerships within State government, and future needs. He noted that North Carolina parks were recently recognized as one of the four best park systems in America and that the State's zoo is the largest in the world by land area. Mr. Ives also noted that there are 35 parks, 20 natural areas and 4 recreational areas in this State and that during the last three years the number of visitors has been approximately 14.2 million, which have had an economic impact of over \$400 million. He also related that the Museum of Natural Science was North Carolina's most visited attraction in 2012 with 1.2 million visitors. Mr. Ives stated that the Aquariums had 1.2 million visitors in fiscal year 2012-2013.

There was committee discussion about safety on trails operated by the Department, the economic viability of additional development of park facilities, and whether parks that do not currently require payment of an admission fee might do so in the future.

Mr. Gordon S. Myers, Executive Director of the Wildlife Resources Commission (WRC), gave an overview of cultural and natural resources assets operated by the WRC. Mr. Myers discussed the WRC's purpose and mission statement, organizational structure, asset categories, partnerships, and the economic impacts of wildlife-related recreation. Mr. Myers noted that the WRC has approximately 650 staff and a budget of \$68.4 million, \$12.5 million of which comes from the General Fund. He stated that their assets are categorized in Game Lands and Wildlife Conservation Areas, Education Centers, Fish Hatcheries, Public Fishing Areas, and Boating Access Areas. Mr. Myers noted that of the Commission's 19 members, 11 are appointed by the Governor and 8 by the General Assembly and stated that the board is responsible for adopting rules for hunting, fishing, trapping and boating.

Ms. Joy Hicks, Policy Development Analyst of the Department of Agricultural and Consumer Services (DACS), gave an overview of the cultural and natural resources assets operated by the DACS. Ms. Hicks discussed DACS' mission statement, the North Carolina Forest Service, forest protection, forest management, forest promotion, and educational and State recreational forests. She noted that the Department consists of 2,000 employees in 22 divisions and has a General Fund budget of approximately \$115 Million. Ms. Hicks also stated that there are seven Educational State Forests visited by approximately 207,000 visitors each year. Ms. Hicks stated that The DuPont State Recreational Forest is the crown jewel of state assets in the Department of Agriculture. That forest is located in Henderson and Transylvania Counties, has 4 major waterfalls, 5 mountain lakes, sits on 10,473 acres, and has over 350,000 visitors per year.

There was Committee discussion on the hours of operation of the State's educational forests.

Dr. Pamela Taylor, Principal Evaluator, Program Evaluation Division, General Assembly of North Carolina, gave a report on potential operational changes for State

attractions. Pursuant to [S.L. 2011-145, Sec. 22.1\(a\)](#), the Program Evaluation Division was required to study and review State operations considered attractions in the State and report its findings. Ms. Taylor gave an overview of State attractions operated by DENR and DCR, funding revenues, the study's findings, recommendations, potential savings, and recent legislative actions. Dr. Taylor stated that the Division found that savings and efficiencies could be realized through changes to site operations including restructuring site level management, closing sites partially or entirely, expanding fees and adopting public-private partnerships with non-profit organizations.

There was committee discussion about the importance of preserving our State's history, the revenue-generating potential of selling naming rights to certain facilities, and recent trends in appropriations for the operation of the sites being discussed.

## **March 20, 2014**

### **AGENDA**

**1:00 p.m. Thursday**

Room 643 Legislative Office Building  
Raleigh, North Carolina

1. Call to Order  
Representative Nelson Dollar, Presiding
2. Introductory Remarks  
Senator Andrew Brock  
Representative Nelson Dollar
3. Economic Value of Cultural and Ecotourism  
Brent Lane, Director of Carolina Center for Competitive Economies, UNC-CH  
Kenan-Flagler Business
4. Agritourism in Rural NC  
Carla Barbieri, Assistant Professor, Dept. of Parks, Recreation and Tourism  
Management, North Carolina State University
5. Overview of Travel and Tourism  
Wit Tuttle, Acting Assistance Secretary of Division of Tourism, Film & Sports  
Development, NC Department of Commerce
6. The Path to Ecotourism in North Carolina - What does it take?  
Lisa Riegel, NC Department of Commerce
7. Ecotourism at the Local Level: A Model Program  
Aaron Sizemore, Town Manager  
Town of Damascus, Virginia



8. The Impact of Private, Volunteer Efforts  
Kate Dixon, Executive Director of the Friends of the Mountains to the Sea Trail, Inc.
9. North Carolina Efforts: Public-Private Partnerships
  - A. Karin Cochran, Chief Deputy Secretary of the NC Department of Cultural Resources
  - B. Brad Ives, Assistant Secretary of the NC Department of Environment and Natural Resources

The second meeting of the Legislative Research Commission's Committee on Cultural and Natural Resources (Committee) was held on Thursday, March 20, 2014 at 1:00 p.m. in Room 643 of the Legislative Office Building. Representative Nelson Dollar presided.

Representative Nelson Dollar and Senator Andrew Brock gave opening remarks.

Mr. Brent Lane, Director of Carolina Center for Competitive Economies, University of North Carolina at Chapel Hill (UNC-CH) Kenan-Flagler Business, gave a presentation on the economic value of cultural resources tourism and ecotourism. Mr. Lane discussed heritage economics, including State parks, hunting and fishing, and summer camps. Mr. Lane gave a heritage portfolio analysis and discussed heritage pilot sites. Mr. Lane also discussed utilizing heritage sites as an asset, such as real estate value, tourism attractions, and business location selection. Lastly, Mr. Lane discussed the need for improvements to heritage sites, inadequate infrastructure, poor market information, and insufficient industry.

There was committee discussion about the fact that North Carolina has globally valuable brands, such as black beard and the lost colony, but there have been very few efforts to capitalize on our global brand opportunities in our heritage market.

Ms. Carla Barbieri, Assistant Professor, Department of Parks, Recreation and Tourism Management, North Carolina State University (NCSU), and Mr. Duarte Morais, Ph.D. Associate Professor, Equitable and Sustainable Tourism, NCSU, gave a presentation on agritourism in rural North Carolina. Ms. Barbieri explained the definition of "agritourism" and its economic impact, the benefits of agritourism, and an agritourism assessment.

There was committee discussion about the challenges small farmers face in setting up their facilities for agritourism and cross-departmental efforts to market agritourism in this State.

Mr. Wit Tuttle, Acting Assistant Secretary of the Division of Tourism, Film and Sports Development, Department of Commerce, gave an overview of travel and tourism. Mr. Tuttle discussed the program's goals, successes, visitor spending in North Carolina, partnerships, activities of overnight visitors, advertising, travel guides, and social media.

There was committee discussion about how much of the advertising budget was spent on print vs. digital advertising as well as about efforts to bring sporting events and tournaments to the State.

Ms. Lisa Riegel, Department of Commerce, gave a presentation on ecotourism in North Carolina. Ms. Riegel discussed cultural tourism and ecotourism in the Uwharrie Region, tourism opportunities, small businesses, jobs in the ecotourism industry, economic development, past efforts, challenges, interagency collaboration, and future needs.

There was committee discussion about the need for adequate lodging at Lake Mattamuskeet and about the need to advertise the tourism opportunities available in Randolph and Moore counties.

Mr. Aaron Sizemore, Town Manager for the town of Damascus, Virginia, gave an overview of the impact of the nearby Virginia Creeper Trail on the town of Damascus, Virginia and on that town's efforts to benefit from its proximity to the trail. He related that the town has a mere 850 residents but that the Virginia Creeper Trail received approximately 150,000 visitors during the previous year. Mr. Sizemore emphasized the importance of marketing what one's town does best and what natural resources and cultural resources people would want to see in one's town. Mr. Sizemore also explained that funding for ecotourism projects should be designed to facilitate a proactive and flexible approach that allows communities to provide amenities that they need yet still requires that they be accountable for the funding they receive. Mr. Sizemore pointed out that one of the main challenges of ecotourism is that the jobs it creates are often seasonal in nature.

Ms. Kate Dixon, Executive Director of the Friends of the Mountains to the Sea Trail, Inc., gave a presentation on the impact of private volunteer efforts. Ms. Dixon discussed the Mountains to Sea Trail, which has a range of over 1,000 miles and is maintained by volunteers. Travelers on the Mountains to Sea Trail enjoy wildlife, hiking, historical sites, small towns, nature, and history. The Mountains to Sea Trail is a public-private partnership between State parks, landowners, and the Friends of the Mountains to Sea Trail.

There was committee discussion about the development of a Master Plan for the Mountains to Sea Trail.

Ms. Karin Cochran, Chief Deputy Secretary of the Department of Cultural Resources (DCR), gave a presentation on public-private partnerships. Ms. Cochran explained how public-private partnerships work, their funding resources, management, and organization.

There was committee discussion about oversight of public-private partnerships.

Mr. Brad Ives, Assistant Secretary of Natural Resources of the Department of Environment and Natural Resources (DENR), described public-private partnerships

within the State park system, including campgrounds, marinas, boat rentals, vending, gift shops, etc.

## **April 17, 2014**

The third meeting of the Legislative Research Commission's Committee on Cultural and Natural Resources (Committee) was held on April 17, 2014 at 1:00 p.m. in Room 544 of the Legislative Office Building. Senator Andrew Brock presided. The Committee adopted this report.

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## COMMITTEE MEMBERSHIP

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2013-2014

**President Pro Tempore of the Senate**  
**Appointments:**

Senator Andrew Brock, Co-Chair

Senator William Cook  
Senator Brent Jackson  
Senator William Rabon  
Senator Michael Walters

**Speaker of the House of Representatives**  
**Appointments:**

Representative Nelson Dollar, Co-Chair

Representative George Cleveland  
Representative Allen McNeill  
Representative Michele Presnell  
Representative W. Wilkins

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## COMMITTEE CHARGE

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**Cultural and Natural Resources** - The LRC Study Committee on Cultural and Natural Resources shall develop a comprehensive management plan for State-owned cultural and natural resource assets. The committee shall study any issues related to the current inventory of assets owned or operated by the State. Specifically, the committee may undertake the following tasks:

- (1) Develop a comprehensive inventory of natural and cultural resources assets owned and/or operated by the State, including parks, game lands, forests, and historic sites including location, size, description and other relevant statistics such as maintenance and operating costs, visitation statistics, revenue generated, infrastructure needs, and expansion opportunities.
- (2) Perform a nationwide analysis of limited scope of similar natural and cultural resources assets at the federal, state, and local governmental level to compare and contrast strategies dealing with management, operations, acquisition and divestiture of such assets.
- (3) Consider strategies that can lower operational and maintenance costs as well as increase revenue streams through initiatives including management restructuring, asset consolidation, divestiture of underperforming or non-critical assets, removal of unnecessary or non-critical infrastructure, outsourcing of operations, or long-term leasing or sale of asset portions to support the development of new business models to support asset operation, maintenance, and potential expansion.
- (4) Any other issues relevant to preservation and access to the diverse cultural and natural resource assets of the State.
- (5) Any other issues pertinent to this study.

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## STATUTORY AUTHORITY

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### NORTH CAROLINA GENERAL STATUTES ARTICLE 6B.

#### **Legislative Research Commission.**

##### **§ 120-30.17. Powers and duties.**

The Legislative Research Commission has the following powers and duties:

- (1) Pursuant to the direction of the General Assembly or either house thereof, or of the chairmen, to make or cause to be made such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner.
- (2) To report to the General Assembly the results of the studies made. The reports may be accompanied by the recommendations of the Commission and bills suggested to effectuate the recommendations.
- (3), (4) Repealed by Session Laws 1969, c. 1184, s. 8.
- (5), (6) Repealed by Session Laws 1981, c. 688, s. 2.
- (7) To obtain information and data from all State officers, agents, agencies and departments, while in discharge of its duty, pursuant to the provisions of G.S. 120-19 as if it were a committee of the General Assembly.
- (8) To call witnesses and compel testimony relevant to any matter properly before the Commission or any of its committees. The provisions of G.S. 120-19.1 through G.S. 120-19.4 shall apply to the proceedings of the Commission and its committees as if each were a joint committee of the General Assembly. In addition to the other signatures required for the issuance of a subpoena under this subsection, the subpoena shall also be signed by the members of the Commission or of its committee who vote for the issuance of the subpoena.
- (9) For studies authorized to be made by the Legislative Research Commission, to request another State agency, board, commission or committee to conduct the study if the Legislative Research Commission determines that the other body is a more appropriate vehicle with which to conduct the study. If the other body agrees, and no legislation specifically provides otherwise, that body shall conduct the study as if the original authorization had assigned the study to that body and shall report to the General Assembly at the same time other studies to be conducted by the Legislative Research Commission are to be reported. The other agency shall conduct the transferred study within the funds already assigned to it.

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## LEGISLATIVE PROPOSALS

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GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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BILL DRAFT 2013-MDz-87 [v.8] (02/28)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)  
4/9/2014 1:58:29 PM

Short Title: Boost State Nature/Heritage Tourism Industry. (Public)

Sponsors: Representative.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CREATE THE NATURE AND HERITAGE TOURISM  
3 ADVISORY BOARD; TO REQUIRE THE CREATION OF A STATE  
4 NATURE AND HERITAGE TOURISM GUIDE; AND TO REQUIRE  
5 CONTRACTING WITH A CONSULTANT TO MAKE  
6 RECOMMENDATIONS REGARDING THE OPERATION OF STATE  
7 HISTORIC AND CULTURAL SITES, AS RECOMMENDED BY THE LRC  
8 STUDY COMMITTEE ON CULTURAL AND NATURAL RESOURCES.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** Article 10 of Chapter 143B of the General Statutes is  
11 amended by adding a new Part to read:

12 "Part 2L. Nature and Heritage Tourism Advisory Board.

13 "§ 143B-437.110. Nature and Heritage Tourism Advisory Board.

14 (a) Creation. – There is created the Nature and Heritage Tourism Advisory  
15 Board, hereinafter referred to in this Part as the Advisory Board. The Advisory  
16 Board shall be located administratively within the Division of Tourism, Film, and  
17 Sports Development of the Department of Commerce but shall exercise its  
18 authority independently of that Department.

19 (b) Membership. – The Advisory Board shall consist of nine members who  
20 have knowledge and experience of the nature and heritage tourism industry,  
21 appointed as follows:

22 (1) Three members shall be appointed by the Governor.

23 (2) Three members shall be appointed by the Speaker of the House  
24 of Representatives.

(3) Three members shall be appointed by the President Pro Tempore of the Senate.

(c) Terms of Office and Vacancies. – Appointed members shall serve four year terms of office beginning on September 1. Vacancy appointments shall be made by the appointing authority for the remainder of the term of office.

(d) Chair and Quorum. – The Advisory Board shall annually elect a chair from among its membership. The chair shall preside over the Advisory Board's meetings. A majority of the Advisory Board constitutes a quorum.

(e) Staffing and Expenses. – Staff to the Advisory Board shall be provided by the Department of Commerce. Members of the Advisory Board shall be reimbursed for travel and subsistence expenses at the rates allowed to State officers and employees by G.S. 138-6(a).

(f) Meetings. – Meetings of the Advisory Board shall be held upon the call of the chair.

(g) Powers. – The Advisory Board shall have the power to make recommendations to the Secretary of the Department of Commerce and to the General Assembly with respect to the following:

(1) Methods for increasing nature and heritage tourism to and within the State.

(2) Methods for increasing the level of private investment in the State's nature and heritage tourism industry.

(3) Identification of the nature and heritage tourism potential of State-owned facilities and assets.

(4) Methods of advertising the State's nature and heritage tourism industry.

(5) Improving interagency cooperation with respect to enhancing and marketing the State's nature and heritage tourism industry."

**SECTION 2.** The Department of Commerce, in conjunction with the Department of Cultural Resources, the Wildlife Resources Commission, the Department of Agriculture and Consumer Services, and the Department of Environment and Natural Resources, shall develop a guidebook on the State's nature and heritage tourism sites. The guidebook shall meet industry standards for tour guidebooks and shall contain information about nature and heritage tourism sites in all regions of the State. No later than October 1, 2015, the Department of Commerce shall make the guidebook available without charge to the public electronically and in physical form at all places at which information about tourism in this State is routinely distributed.

**SECTION 3.** There is appropriated from the General Fund to the Department of Commerce the sum of one hundred thousand dollars (\$100,000) for the 2014-2015 fiscal year to hire a consultant to review the operation of State historic and cultural sites and to make recommendations for maximizing their value to the citizens of this State while simultaneously reducing the cost to the State for their operation. State agencies and employees shall fully cooperate with

1 the consultant by providing requested information about the operation of State  
2 historic and cultural sites. The consultant shall report its findings to the  
3 Department of Cultural Resources, to the Department of Environment and Natural  
4 Resources, to the Department of Agriculture and Consumer Services, to the  
5 Wildlife Resources Commission, to the Legislative Research Commission and to  
6 the Fiscal Research Division no later than October 1, 2015. The recommendations  
7 shall not include recommendations to sell State properties or to change the present  
8 use and character of State historic and cultural sites. The recommendations shall  
9 address at least the following:

- 10 (1) Whether cost savings could be realized by allowing private  
11 entities to operate certain State sites.  
12 (2) Whether limiting operating hours, mothballing, or imposing other  
13 cost savings measures should be adopted at certain historic and  
14 cultural sites.

15 **SECTION 4.** This act becomes effective July 1, 2014.  
16